

RESPONSE TO RESTRICTION REQUIREMENT

Serial No. 10/694,037

Filing Date: October 27, 2003

Title: METHODS AND APPARATUS FOR MAKING PRECISE INCISIONS IN BODY
VESSELS

Page 2

Dkt.: P-11210.00

Remarks

The Restriction Requirement identified the following inventions:

1. Claims 1-34, drawn to an instrument; and
2. Claims 35-46, drawn to a method of making a slit.

The Office Action further included an election of species including:

1. The species of Figures 13-16;
2. The species of Figures 17, 18 and
3. The species of Figures 19-24.

Applicants herein elect Group 1 corresponding to claims 1-34 with traverse.

Applicants further elect species 3 corresponding to figures 19-34 with traverse.

Claims 1-6, 15-23 and 32-34 read on the elected species.

Applicants respectfully traverse the restriction and election of species requirement as applicants respectfully submit there is no significant change in the burden to examine all three species. Applicants further traverse the statement that: "Currently, there are no generic claims." Applicants respectfully submit that independent claims 1 and 18 are generic to two or more species.

Applicants respectfully submit that an allowable generic claim exists in this case. Applicants note that applicants are entitled to recapture a reasonable number of species once an allowable generic claim is identified by the PTO. Here, it is respectfully submitted that three species are a reasonable number of species.

RESPONSE TO RESTRICTION REQUIREMENT

Serial No. 10/694,037

Filing Date: October 27, 2003

Title: METHODS AND APPARATUS FOR MAKING PRECISE INCISIONS IN BODY
VESSELS

Page 3

Dkt.: P-11210.00

A petition for a one-month extension of time accompanies this response.

If necessary, please charge any additional fees or credit overpayment to Deposit
Account No. 13-2546.

Respectfully submitted,

Date: April 26, 2007

By


Jeffrey J. Hohenshell

Reg. No. 34,109

Senior Patent Attorney

MEDTRONIC, INC.

710 Medtronic Parkway

Minneapolis, MN 55432

Tel. 763-391-9661

Fax. 763-391-9668

Customer No. 27581